

Special Notes-Criminal

- I. Goal. The goal is to work from the start with the Probation Department to provide relevant information to the Court to fashion an appropriate sentence and recommendation.
- II. Discussion with presentence report writer at interview:
 - A. Defense attorney required to attend interview with presentence report writer.
 - B. Defendant is required to bring appropriate documentation supporting mitigating factors.
 - C. Discuss with the PSR writer any 3553 factors they believe to be relevant. Help facilitate family contact if necessary.
 - D. Defense attorney will help attain the appropriate documents.
 - E. Suggestion of appropriate prison or camp location and why.
 - F. Appropriate programs, classifications while in prison.
 - G. Suggestion of appropriate programs for supervised release.
 - H. Discuss any factors, including post offense conduct.
- III. Memorandums of Law required.
 - A. Defendant should include:
 - 1. Agree or disagree with guidelines as computed by Presentence Report.
 - 2. Discussion of Congressional issued factors.
 - 3. Statement of status of outstanding warrants, if any.
 - 4. Suggestion of appropriate prison or camp location and why.
 - 5. Appropriate programs, classifications while in prison.
 - 6. Suggestion of appropriate programs for supervised release.
 - 7. Discuss any factors, including post offense conduct.
 - B. Prosecutor should include:
 - 1. Suggestion of appropriate sentence and why. Focus on Congressional Factors.
 - 2. Classification in terms of dangerousness and the like.
 - C. Both prosecutor and defendant should present the status of any active pending cases, including state circuit court cases. Defense attorney should speak to any other defense attorney representing defendant and the prosecutor should speak to the prosecutor on any other cases.
- IV. Sealed Memos: Hard copy needs to be delivered to U.S. Probation Officer.